

Practitioner's Docket No. MPI00-438P1RM

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Kapeller-Libermann, Rosana		
Application No.:	10/044,205	Group No.:	1642
Filed:	October 22, 2001	Examiner:	Yu, Misook
For:	69087, 15821, AND 15418, METHODS AND COMPOSITIONS OF HUMAN PROTEINS AND USES THEREOF		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed:

☒ Within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

OR

☐ *After* three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either:

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Date: July 2, 2004

Sean Hunziker
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- (1) a final action under Section 1.113,
- (2) a notice of allowance under Section 1.311, or
- (3) an action that otherwise closes prosecution in the application

whichever occurs first.

☐ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

☒ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

OR

☐ The information disclosure statement transmitted herewith is being filed *after* a final action under Section 1.113, or a notice of allowance under Section 1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.

☐ In accordance with the requirements of 37 C.F.R. Section 1.97(d):

A. ☐ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

B. ☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

C. ☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

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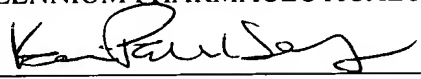
FEE PAYMENT

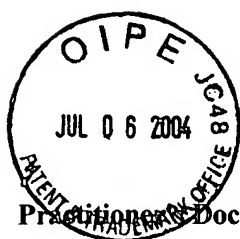
3. ☐ The fee due is set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c) (\$180.00).

☒ Applicant believes no fee is due in connection with this submission.

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<u>July 2, 2004</u>	MILLENNIUM PHARMACEUTICALS, INC. By  Kerri Pollard Schray Registration No. 47,066 75 Sidney Street Cambridge, MA 02139 Telephone – (617) 551-3676 Facsimile – (617) 551-8820
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Supplemental Information Disclosure Statement

The following sections are being submitted for this Supplemental Information Disclosure Statement:

1. ☒ Preliminary Statements
2. ☒ Forms PTO/SB/08A and PTO/SB/08B (2 pages)
3. ☒ Copies of Listed Information Items Accompanying This Statement (7 references)

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

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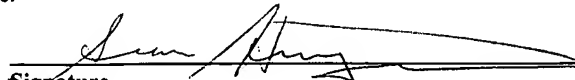
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Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

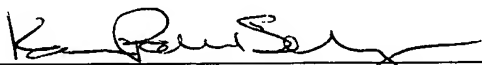
The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed in PTO/SB/08A and PTO/SB/08B (substitute for Form PTO-1449) accompany this information statement.

July 2, 2004

MILLENNIUM PHARMACEUTICALS, INC.

By: 

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Facsimile – (617) 551-8820

Please type a plus sign (+) inside this box → +

PTO/SB/08A (10-96)

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/044,205
				Filing Date	October 22, 2001
				First Named Inventor	Kapeller-Libermann, Rosana
				Group Art Unit	1642
				Examiner Name	Yu, Missok
				Attorney Docket Number	MPI00-438P1RM
Sheet	1	of	1		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document (MM-DD-YYYY)	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	6,331,423	B1	Guegler et al.	12.18.2001	
	A2	6,444,456	B1	Walke et al.	9.3.2002	
	A3	6,579,709	B2	Guegler et al.	6.17.2003	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document (MM-DD-YYYY)	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	B1	WO	01/96547	A2	Incyte Genomics, Inc.	12.20.2001	Title Pages pp. 1-134 Sequence Listing pp. 1, 26-27, 54	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation design number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO		JUL 06 2004		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number		10/044,205	
		Filing Date		October 22, 2001	
		First Named Inventor		Kapeller-Libermann, Rosana	
		Group Art Unit		1642	
		Examiner Name		Yu, Missok	
Sheet	1	of	1	Attorney Docket Number	MPI00-438P1RM

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and-or country where published.	T ²
	C1	Weiss, Ellen R. et al., "Species-Specific Differences in Expression of G-Protein-Coupled Receptor Kinase (GRK) 7 and GRK 1 in Mammalian Cone Photoreceptor Cells: Implications for Cone Cell Phototransduction", The Journal of Neuroscience 21(23):9175-9184 (2001)	
	C2	Chen, Ching-Kang et al., "Characterization of Human GRK7 as a Potential Cone Opsin Kinase", Molecular Vision 7 :305-313 (2001)	
	C3	Cidycian, Artur V. et al., "Cone Deactivation Kinetics and GRK1/GRK7 Expression in Enhanced S Cone Syndrome Caused by Mutants in NR2E3", Investigative Ophthalmology and Visual Science 44(3) :1268-1274 (2003)	

Examiner Signature		Date Considered	
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